



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240



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PEP - ENVIRONMENTAL STATEMENT MEMORANDUM NO. ESM04-15

To: Heads of Bureaus and Offices

From: Willie R. Taylor, Director *Willie R Taylor*
Office of Environmental Policy and Compliance

Subject: Publication and Distribution of Department of the Interior National Environmental Policy Act (NEPA) Compliance Documents via Electronic Methods¹

General

- A. This policy guidance is offered in order to maintain consistency throughout the Department when publishing and distributing NEPA compliance documents² electronically. The guidance will be reviewed and revised from time to time as more experience is gained in the use of electronic formats for publication and distribution of a wide variety of Departmental documents. To date no standard format for electronic distribution of all Departmental documents has been adopted.
- B. NEPA compliance documents are appearing with greater frequency in electronic format on the Internet and on CD-ROM from various agencies.

¹Electronic methods refers to and includes the computer- and Internet- based systems for publishing or posting information for easier public access. This ESM guides the use of such systems for publication of NEPA compliance documents. Therefore, the user is cautioned not to become too focused on the terminology that is used casually and interchangeably. No particular type of electronic method is being promoted. However, the most common electronic distribution of NEPA documents is currently on Compact Disk-Read Only Memory (CD-ROM) and the Internet. This guidance is generally based on these two types of distribution but recognizes that future electronic methods may appear and replace or modify earlier types.

²NEPA compliance documents include notices of intent (NOI), environmental assessments (EA), findings of no significant impact (FONSI), categorical exclusions (CX), draft (DEIS), final (FEIS), and supplemental environmental impact statements. Where necessary in this ESM, the text will specify particular documents when further clarity is required. Otherwise, NEPA compliance document, NEPA document, compliance document, etc. should be considered interchangeable. It is acknowledged that in most cases this ESM is dealing with publication and distribution of environmental impact statements (EISs), but the more general terms are used so that the ESM can apply to unforeseen situations where the document may not be an EIS.

1. It is the Department's intention to promote electronic distribution of its NEPA compliance documents to benefit the public review and disclosure process. Electronic publication and distribution has the potential to aid in reaching a broader public and facilitating review of documents that can seem overwhelming in paper form.
 2. Nonetheless, because not all potentially-interested agencies, organizations, and individuals have such capability, publication in electronic format is a supplement to--not a replacement for--publication and distribution of paper copies.
- C. Paper copies must always be available for and distributed to those requesting them to permit their review within established time frames.
- D. This gradual conversion to a greater use of electronic formats is in compliance with the Electronic Freedom of Information Act Amendments of 1996.

II. Formats

- A. Current experience indicates that most CD-ROM distributions of environmental documents utilize the Portable Document Format (PDF).
1. This format is currently recommended for CD-ROM distribution.
 2. If this format is used, documents shall include the latest edition of *Adobe Acrobat Reader* for the recipient's immediate use.
- B. Documents placed on an Internet web site shall be made available for download in PDF, text, or hypertext markup language (html).
1. When PDF is used, bureaus shall include a link for downloading *Adobe Acrobat Reader*.
 2. It is recommended that a "text" version be offered as an optional download when offering either PDF or html.
- C. Formats should consider and make every effort to meet the requirements of Section 508 of the Americans with Disabilities Act. To that extent bureaus using *Adobe* are referred to: <http://access.adobe.com/tools.html> [or current universal resource locator (URL)] for assistance in making PDF documents accessible to Americans with disabilities.

III. Department and Environmental Protection Agency (EPA) Processing Requirements

A. Department

1. The three copies of an EIS needed by the Office of Environmental Policy and Compliance (OEPC) shall include one paper copy and two CDs. If only an Internet distribution is made (no CD-ROM), then OEPC will need the exact URL and three paper copies. If a combined distribution is made, then please supply one paper copy, two CDs, and the URL.
2. The two copies of an EIS needed by the Natural Resources Library shall be in paper format.
3. Refer to ESM04-12 (particularly Attachment 4) and ESM04-13 for Departmental processing procedures.

B. EPA

1. The five copies needed for filing with EPA shall be in paper format.
2. A draft, final, or supplemental environmental impact statement is not officially filed until publication of the EPA notice of availability in the Federal Register.
 - a. This publication generally occurs each Friday and contains EISs received for filing during the past week and starts the comment period.
 - b. Publication on the Internet does not start the NEPA comment period.
 - c. This is an important matter that all bureau NEPA personnel should remember so that filings are not later found to be procedurally flawed.

IV. Bureau Processing

- A. Bureau NEPA distribution lists must be continually updated to recognize which document recipients can use Internet, CD-ROM, and/or paper and in what quantities.
1. Remember to update State clearinghouse needs and other Interior bureau needs in this process.
 2. Bureaus may want to periodically send a questionnaire to customer agencies and individuals to update their lists.

3. An option to keeping special lists is to allow the public to sign up for electronic notification of all documents issued by a particular bureau office. Once signed up, the public can access and comment on those items of interest.
 4. Another option is to send advance return postage paid mailers to everyone on the mailing list. The mailer would describe the formats available and allow the recipient to order the desired format.
- B. Notices of availability shall give all necessary information to the public about how to obtain both paper and electronic copies. This information shall include traditional contact names with street addresses and voice and fax telephone numbers as well as exact URLs and e-mail addresses for downloading documents and contacting personnel over the Internet.
- C. Electronic versions of NEPA documents must be complete and match the official paper copy page by page.
- Commenters identifying specific pages, paragraphs, and sentences must have the assurance that they are identifying the same location in either the electronic or paper versions. The PDF format serves this need well.
2. Electronic versions must include the complete text as well as viewable reproductions of all maps, tables, appendices, and other graphics that appear in the paper version. If this is not possible, then the electronic format must explain to the user what items are not available electronically and where and how to get paper copies of the electronically unavailable items.
- D. Distribution to Federal and State agencies with jurisdiction by law or special expertise and Indian Tribes shall also be in paper format unless a bureau has received a written request from that agency or Tribe for the document in electronic format or a mixture of paper and electronic formats.